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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,097	10/19/2001	Jonathan Wu	P1317	7691

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EXAMINER	
PEARSON, YVETTE B	

ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/033,097	WU, JONATHAN	
	Examiner	Art Unit	
	Yvette Pearson	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 - 31 are presented for examination in the application.

2. Acknowledgment is made of provisional Application No. 60/242045 filed on October 20, 2000.

3. Acknowledgement is made of the Information Disclosure document filed October 19, 2001.

Claim Objections

4. Specification objected to because of the following informality: Regarding the reference to repeated designation of step '(e)' in claim 24, correction should be made to notate the step proceeding step '(f)' as step '(g)'. Appropriate correction is required.

5. This is merely exemplary. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 – 4, 7 – 17, 19 – 25 and 27 – 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Lavian (US 6,170,015.)

7. As per Claim 1, Lavian teaches a networked-based system for routing data between software applications with access to the network comprising a router connected to the network for establishing routes between the router and applications (Column 2, Lines 45 – 49; Figures 3 and 4); a version of software residing in and executable from at least one router for controlling route creation and deletion (Column 5, Lines 2 – 5) while converting incoming data into a common format ([JVM takes byte code and transforms instructions] Column 5, Lines 25 – 30, Lines 36 – 49; Figures 4 and 5); at least one client device connected to the network with at least one device adapted for communication with at least one router (Figure 3, # 303 and #305); a second version of software residing in and executable from at least one router in the common format wherein the receiving device reads the data, builds an object model from logic instructions embedded in the data received and executes the object model to implement the logic at the device for rendering the data (Column 5, Lines 50 – 60; Figure 6.)

8. As per Claim 2, Lavian teaches the networked-based system as described above wherein the network is the Internet network (Column 6, Lines 38 – 42; Figure 10 #1013.)

9. As per Claims 3 and 4, Lavian teaches the networked-based system as described above wherein the software applications comprise both network and client applications according to shared topic ([local and remote resourcing] Column 3, Lines 61 – 66; Column 4, Lines 2 – 8.)

10. As per Claim 7, Lavian teaches the networked-based system as described above wherein the second version of software is a distributed server application having full Web browser functionality (Column 5, Lines 25 – 30.)

11. As per Claim 8, Lavian teaches the networked-based system as described above wherein the logic instructions are JavaScript and the object model is an executable JavaScript object (Column 4, Lines 31 – 36.)

12. As per Claims 9 – 11, Lavian teaches the networked-based system as described above wherein the web browser software communicates through a variety of protocols (HTTP, SOAP), such that the query applications are developed using markup languages and embedded script languages (software applets) to send and receive data [comparable markup languages {e.g. XML, HTML, compact} are standard languages of the internet] (Column 5, Lines 25 – 30, Figure 4, # 401.)

13. As per Claim 12, Lavian teaches a distributed application server system for enabling the client device to interact with an information and presence service (Figure 3) comprising a data-interpretation module for interpreting data sent to the device from the client service and creating an object model from instructions embedded in the data, such that a runtime engine executes software to display module data on the client

device as characterized by function attributes of the end device (Column 3, Lines 40 – 49; Column 4, Lines 2 – 8.)

14. As per Claim 13 Lavian teaches the distributed application server system as described above wherein the network is the Internet network (Column 6, Lines 38 – 42; Figure 10, #1013.)

15. As per Claims 14 and 15, Lavian teaches the distributed application server system as described above wherein message data is propagated between the service and the client device using query applications and response formats developed by the client to execute logic instructions on the client side ([Java application environment] Column 3, Lines 31 – 35; Column 4, Lines 2 – 8.)

16. As per Claims 16, 21 and 22, Lavian teaches the distributed application server system as described above wherein the web browser software communicates through a variety of protocols (HTTP, SOAP), such that the query applications are developed using markup languages and embedded script languages (software applets) to send and receive data [comparable markup languages {e.g. XML, HTML, compact} are standard languages of the internet] (Column 5, Lines 25 – 30, Figure 4, # 401.)

17. As per Claim 17, Lavian teaches the distributed application server system as described above wherein the query applications contain differing logic instructions developed to render response data differently according to different data sources (Column 4, Lines 2 – 8.)

18. As per Claim 19, Lavian teaches the distributed application server system as described above wherein the second version of software is a distributed server application having full Web browser functionality (Column 5, Lines 25 – 30.)

19. As per Claim 20, Lavian teaches the distributed application server system as described above wherein the logic instructions are JavaScript and the object model is an executable JavaScript object (Column 4, Lines 31 – 36.)

20. As per Claim 23, Lavian teaches the distributed application server system as described above wherein the data-interpretation module (Java Virtual Machine) interprets and executes the instruction code on the end platform (Column 3, Lines 40 – 47; Column 4, Lines 26 – 28.)

21. As per Claim 24, Lavian teaches a Web based information and service system comprising a application server capable of object modeling and execution performed on the client side (Column 4, Lines 2 – 8, Figure 3); providing an HTML template and JavaScript library to the client for use in developing query applications ([HTML is a standard language of the HTTP protocol]; Column 5, Lines 25 – 30; Column 4, Lines 22 – 25; Figure 4, #405 and 407); using query applications and response formats containing message data and data rendering logic ([Java runtime environment] Column 3, Lines 31 – 35; Column 4, Lines 2 – 8, 26 - 28); and executing JavaScript logic instructions such that the object model is an executable JavaScript object (Column 4, Lines 31 – 36.)

22. As per Claim 25, Lavian teaches a Web based information and service system as described above wherein the server application capable of object modeling and object execution on the client device includes client having full Web browser functionality (Column 5, Lines 25 – 30; Figure 3, #303.)

23. As per Claims 27 and 29, Lavian teaches a Web based information and service system as described above wherein the web browser software communicates through a variety of protocols (HTTP, SOAP), such that the query applications are developed using markup languages and embedded script languages (software applets) to send and receive data [comparable markup languages {e.g. XML, HTML, compact} are standard languages of the internet] (Column 5, Lines 25 – 30, Figure 4, # 401.)

24. As per Claim 28, Lavian teaches a Web based information and service system as described above wherein the query application is specific to a particular data source hosted by the service ([Java dynamic design] Column 4, Lines 2 – 8.)

25. As per Claims 30 and 31, Lavian teaches a Web based information and service system as described above wherein the response is compressed for transport and decompressed before interpretation utilizing browser-based software or Java Applets (Column 4, Lines 9 – 15, 26 – 30; Figure 4, #405 and 407.)

26. Thus, Lavian discloses all limitations of the rejected claims; therefore Lavian anticipates the subject matter of Claims 1 – 4, 7 – 17, 19 – 25 and 27 – 31.

Claim Rejections - 35 USC § 103

27. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

28. Claims 5, 6, 18 and 26 rejected under 35 U.S.C. 103(a) as being unpatentable over Lavian (US 6,170,015) in view of Gerszberg et al (US 6,044,403).

29. With respect to Claims 5, 6, 18 and 26, Lavian teaches a networked-based system for routing data between browser-based clients with access to the network and networked devices comprising a router connected to the network for establishing routes between the client and devices (Column 2, Lines 45 – 49; Figures 3 and 4) but fails to specifically teach a process wherein at least one client device is a mobile device connected to the network through a wireless network. However, Gerszberg discloses a similar network server architecture that transmits data over the internet (Column 20, Lines 40 – 42) whereby the system supports wireless voice mobility (Column 17, Lines 60 – 67.)

Therefore, it would have been obvious to one having ordinary skill in the art having the teachings of Lavian and Gerszberg before one at the time of the invention to teach Lavian's method of computer networking such that browser software communicates with a router (network switch) to transmit data to the application server (Column 5, Lines 25 – 30; Figure 4), and to include Gerszberg's method of wireless

access to the network. The combination would provide increased internet-accessible functionality, while maintaining optimal client-server based performance.

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure US 6,260,083, (Moore et al).
Moore discloses a method of operations in an information processing system executed in a JAVA programming environment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvette Pearson whose telephone number is 571 272-4227. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Cuchlinski can be reached on 571 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yvette Pearson

Examiner

Art Unit 2144

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